



Southern New Hampshire Planning Commission

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MEMORANDUM

TO: Community Planning Staff and Directors
Planning Boards
Regional Planning Commissions
NH Office of Energy and Planning

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DATE: November 17, 2005

RE: Developments of Regional Impact

Determining what a development of regional impact is has created conflicting points of view several times in the SNHPC region. This is particularly true with large developments on municipal boundaries where the adjacent community was not afforded a voice in the planning process. In response, the SNHPC staff decided to embark on a process to define what developments of regional impact may be for the region.

SNHPC used several regional roundtable meetings, attended by community planners, planning staff and planning board members to discuss and refine these procedures and standards to best represent the SNHPC region and valuable experiences of the region's planners. The final product of those meetings, the Development of Regional Impact Guidelines for the SNHPC Region (enclosed), outlines the process of proceeding with a development of regional impact and establish standards indicating what may be a regional impact. The SNHPC Commissioners voted to approve the guidelines at their October 25, 2005 commission meeting. Additionally, they requested the guidelines be distributed to the SNHPC member municipalities, other regional planning commissions in the state, and the communities adjacent to the SNHPC region.

The list of standards, defining potential regional impacts, was developed to clarify or set more specific standards to the definition provided in New Hampshire RSA 36:55. These standards are meant to serve as guidelines while reviewing proposals and are not absolute. They are to be used as indicators of potential regional impacts. Some projects may meet many of the standards, however, when more carefully examined may not have regional impact. Conversely, other projects, that do not meet any of the standards, may truly have regional impact. The intent is simply to have a clear and consistent definition of what a development of regional impact may be for the region.

When determining whether a project is of regional impact, we at SNHPC recommend that all member communities utilize the enclosed "Developments of Regional Impact Review Guidelines for the SNHPC Region." Simultaneously, we recommend that planners and planning board members still rely on their internal expertise in making a final determination. Our intent is open dialogue between communities in the SNHPC region, encourage all communities to utilize equal standards, and provide equal consideration to neighbors. We recommend that member communities adopt these guidelines into their local ordinance.

If you would like more information on developments of regional impact or assistance in determining whether a project is of regional impact, please do not hesitate to contact the Southern New Hampshire Planning Commission.



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Developments of Regional Impact Review Guidelines for the SNHPC Region

October 25, 2005

Process

Foremost, RSAs 36:54 through 36:58 should guide the treatment of any Developments of Regional Impact (DRIs) in the Southern New Hampshire Planning Commission (SNHPC) region. Reasonable notice should be given to the SNHPC of all development proposals that meet any one or more of the identified standards or thresholds for DRI determination.

Whenever possible, a courtesy notice or memorandum should be sent to the abutting communities and carbon copied to SNHPC, *before* a project has been determined to be a DRI. Additionally, a follow up phone call should be made to ascertain whether the notice or memorandum was received and whether there are any questions to be answered. The community should then proceed according to State statute and make the DRI determination if appropriate.

Procedural Checklist for Municipalities (RSA 36:56):

- ☐ Initial development application is received by the planning board or department
- ☐ If it is a *possible* development of regional impact, send a courtesy memo to the affected communities and the regional planning commission (RPC)
- ☐ Follow up the courtesy memo with a phone call to determine if there are any questions and begin dialogue
- ☐ Application is reviewed for completeness
- ☐ The planning board **MUST** vote on whether the project is of regional impact and should do so at the earliest opportunity after receipt of an application
- ☐ Upon determination of regional impact the RPC and the affected municipalities shall be afforded the status of abutters
- ☐ Furnish, by certified mail, within 144 hours, the RPC and affected communities with copies of the meeting minutes, documenting the decision, and an initial set of plans, the cost of which shall be borne by the applicant (72 hours changed to 144 hours effective 7/16/2005 per HB265)
- ☐ 14 days prior to the public hearing, the planning board shall notify, by certified mail, the affected municipalities and the RPC of the hearing date, time and location and stating their right to testify
- ☐ SNHPC to submit an official response as soon as possible

Please be considerate to the affected communities and RPC and provide all information at least as promptly as stated above (per RSA 36:57). This and any additional time that

can be provided will allow the communities and RPC ample review time. Any less time, however, will not be sufficient for a review to be conducted.

Standards

The following items are guidelines to assist in determining whether a proposed project is a development of regional impact. It is assumed a project may be a development of regional impact if it meets any one of the standards. Additionally, these standards are not absolute and are intended to initiate a closer review of projects that may potentially have regional impact.

- Proposed developments directly adjacent to a municipal boundary
- Proposed developments located within 1,000 feet of any aquifer or surface waters that transcend municipal boundaries and there will be either a large water withdrawal (defined as 57,600 gallons by NHDES) or there will be indoor, outdoor, or underground storage of chemicals or other potential pollutants
- Proposed developments that create a new road or a point of access between municipalities
- Proposed developments that generate 100 or more vehicle trips per day into an adjacent community as determined by the most recent published version of the Trip Generation Manual
- Proposed development of 50 or more residential dwelling units where any portion of the development is within 1,000 feet of a municipal boundary
- The construction of commercial or industrial development that exceeds 100,000 square feet
- Proposed developments with anticipated emissions such as light, noise, smoke, odors, or particles that may impact a neighboring community
- Proposed developments that may impact shared facilities such as schools (e.g. residential developments at any location in a given community when students are tuitioned in another municipality), solid waste disposal facilities, and other utility services from another community

Product

Once notified, the SNHPC will send a letter of receipt to the submitter. Following which, SNHPC shall review the development proposal and supporting studies to determine if any regional impacts to transportation, public facilities, utilities, communications, solid waste, and schools would result from the proposed development. Upon such a finding, the SNHPC shall notify, in writing, all the affected municipalities as well as the appropriate land use boards having jurisdiction over the development proposal of the potential regional impacts. The SNHPC will notify the community whether they intend to testify at the public hearing.

The SNHPC shall act as a clearinghouse of information, tracking the cumulative impacts of growth in the region.